

Serial No. 09/743,695

-6-

Art Unit: 3764

In the Claims

Claim 1 has been cancelled.

Claim 2 has been amended as follows:

2. (Amended) A tissue implant device configured to resist migration in tissue comprising a flexible body having proximal and distal portions each defining a profile, the proximal portion having a larger profile than the distal portion.

Claim 8 has been cancelled.

Claim 9 has been amended as follows:

9. (Amended) A tissue implant device as defined in claim 2 wherein the device is configured to resist migration by exhibiting longitudinal flexibility to substantially absorb migratory forces placed on it by the surrounding tissue.

Claim 10 has been cancelled.

Claim 11 has been amended as follows:

11. (Amended) A tissue implant device as defined in claim 1 further comprising a surgical adhesive applied to the device.

Claim 18 has been amended as follows:

18. (Twice Amended) A tissue implant device as defined in claim 7 wherein the tail is formed by a more broadly wrapped coil adjacent to the proximal portion of the body forming an arm that extends laterally from the longitudinal axis of the device in the diameter of coils that comprise the body of the spring.

Claim 20 has been amended as follows:

20. (Amended) A device as defined in claim 8 wherein individual coils of the helical spring have a constantly increasing diameter from the distal portion to the proximal portion.

Serial No. 09/743,695

-7-

Art Unit: 3764

Claim 22 has been amended as follows:

22. (Amended) A tissue implant device as defined in claim 6 wherein the tail comprises a broadly wound most proximal coil of the spring having a diameter that is greater than the diameter of coils of the body of the device.

Claim 26 has been amended as follows:

26. (Amended) A tissue implant device as defined in claim 25 wherein the proximal end is joined to the broadly wound coil by being wrapped around the loop.

Claim 27 has been amended as follows:

27. (Amended) A tissue implant device as defined in claim 26 wherein the proximal end of the spring extends distally from the broadly wound coil after it has been wrapped about the broadly wound coil to serve as a barb.

Claim 28 has been amended as follows:

28. (Amended) A tissue implant device as defined in claim 25 wherein the proximal end is joined to the broadly wound coil by welding.

Claim 29 has been amended as follows:

29. (Amended) A tissue implant device as defined in claim 25 wherein the proximal end of the spring is joined to the broadly wound coil by a malleable sleeve crimped around the proximal end and broadly wound coil to secure the proximal end to the coil.

Claim 30 has been amended as follows:

30. (Amended) A tissue implant device as defined in claim 22 wherein the broadly wound coil is non-circular.

Serial No. 09/743,695

-8-

Art Unit: 3764

Claim 38 has been amended as follows:

38. (Amended) A method of implanting a tissue implant device comprising:
- providing an implant device having a flexible body with proximal and distal ends and an anchoring tail at the proximal end that defines a larger profile than the distal end of the implant;
 - providing a sharp tip implant delivery device configured to penetrate tissue and releasably retain the tissue implant device;
 - associating the implant device with the implant delivery device;
 - accessing the desired tissue implant site;
 - applying a penetrating force to the implant and implant delivery device combination such that the combination penetrates tissue ~~to a clinically effective penetration depth~~ to implant the device;
 - withdrawing the implant delivery device from the implanted implant device.

Claim 42 has been amended as follows:

42. (Amended) A method of implanting a tissue implant device to promote angiogenesis within a tissue comprising:
- providing and implanting a tissue implant device configured to be anchored within tissue so that it does not migrate from the tissue after implantation comprising a flexible body having proximal and distal portions each defining a profile, the proximal portion having a larger profile than the distal portion.

Claim 46 has been amended as follows:

46. (Amended) A method of anchoring a tissue implant device within tissue comprising:
- providing an implantable body having a proximal portion and a distal portion each defining a profile and wherein the profile of the proximal portion is larger than that of the distal portion;